

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SHANNON O. MURPHY,
Plaintiff,
v.
FEDERAL EXPRESS CORP.,
Defendant.

No. 2:21-cv-142-KJM-KJN PS
ORDER

On January 28, 2021 the magistrate judge filed findings and recommendations (ECF No. 3), which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen (14) days. No objections were filed by the deadline, however, plaintiff did file objections submitted after the deadline. (ECF No. 4.) The court exercises its discretion to consider the objections¹ and so reviews de novo those portions of the findings and recommendations to which an objection has been made. 28 U.S.C. § 636(b)(1); *McDonnell Douglas Corp. v. Commodore Business Machines*, 656 F.2d 1309, 1313 (9th Cir. 1981); *see also Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009).

The court has reviewed the applicable legal standards and, good cause appearing, concludes it is appropriate to adopt the findings and recommendations in full.

¹ In so doing the court construes the Army order attached to the complaint as generally signalling plaintiff's need for more time to prepare legal filings.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations, ECF No. 3, are ADOPTED IN FULL;
2. The action is DISMISSED WITH PREJUDICE; and
3. The Clerk of Court is directed to CLOSE this case

DATED: September 28, 2021.


CHIEF UNITED STATES DISTRICT JUDGE